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Counsel for Defendant DOUGLAS STORMS YORK

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 15-00226 BLF
)	
Plaintiff,)	DEFENDANT DOUGLAS STORMS
)	YORK'S TRIAL MEMORANDUM
)	
vs.)	
)	
)	Pretrial Conference: July 16, 2015
)	Time: 2:00 p.m.
DOUGLAS STORMS YORK,)	
)	Trial Date: July 20, 2015
Defendant.)	
_____)	Honorable Beth Labson Freeman

Defendant Douglas Storms York submits this trial memorandum pursuant to the Court's standing order for the Court's consideration prior to the pretrial conference.

I. Legal Bases for the Charge

Mr. York is charged in a one count indictment with False Impersonation of an Employee of the United States in violation of 18 U.S.C. § 912.

II. Anticipated Evidence

Based on the discovery received as of the date of this filing, the defense anticipates that

1 the government will attempt to introduce evidence that Mr. York allegedly made a phone call to
2 Allan Hessenflow claiming to be an individual with the Internal Revenue Service (“IRS”) on
3 February 23, 2012.

4 The defense anticipates that the majority of its case will be rebuttal and impeachment
5 evidence based upon the testimony of the government’s witnesses and the materials that have
6 been provided to the defense through discovery.

7 **III. Evidentiary, Procedural or other Legal Issues**

8 The defense has filed motions *in limine* addressing the existing legal and evidentiary
9 issues presented in the case. If additional issues develop, the defense will notify the Court and
10 the government.

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12 Dated: July 9, 2015

Respectfully submitted,

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14 STEVEN G. KALAR
Federal Public Defender

15
16 /s/
GRAHAM ARCHER
Assistant Federal Public Defender